GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public services - Revenue Department Sri A.Purushotam, Special Deputy Tahsildar, O/o Special Deputy Collector, LA, SEZ, U nit-I, Tirupati (now retired) - Trapped on 24.09.2008 - Prosecution Sanction accorded - Hon'ble Special Judge for SPE & ACB cases, Nellore pronounced acquittal on 19.02.2020 - Court orders Implemented - Orders - Issued.

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REVENUE (VIGILANCE.I)DEPARTMENT

G.O.Rt.No.824 Dated:31.08.2023.

Read the following:-

1.From the Director, General, Anti Corruption Bureau, Lr.Rc.No.226/RCT- TCT/2008, dt:31.10.2009
2. Govt.Memo.No.51224/Vig-III/(1)/2008,Revenue(Vigilance-III) Dept.,dt:13.12.2010
3. Orders, dt: 19.02.2020 of Special Judge for SPE & ACB cases,Nellore in C.C.No. 16/2015
4. From the D.G., ACB., Lr.Rc.No.226/RCT- TCT/2008, dt:16.06.2020.
5 .Govt.Memo.No. LANA0CCLV(ACBC)/16/2020, Revenue(Vig.I) Dept., dt:18.12.20202
6. Sri A.Purushottam,Special Dy.Tahasildar(retd.) representation dt,09.01.2023

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ORDER:-

Whereas in the letter, 1st read above, the Director, General, Anti Corruption Bureau has submitted final report in the trap case registered in Cr.No.13/RCT-TCT/2008 against Sri A.Purushotam, Special Deputy Tahsildar, O/o Special Deputy Collector, LA, SEZ, Unit-I, Tirupati (now retired) along with five others on the allegations of corruption and misconduct recommending, among others, for prosecution of Sri A.Purushotam, Special Deputy Tahsildar, O/o Special Deputy Collector, LA, SEZ, U nit-I, Tirupati (now retired) in the court of law for the offences punishable under sections 7 & 13(2) read with section 13(1)(d) of Prevention of Corruption Act, 1988

2. After examination of the recommendations of the Director, General, Anti Corruption Bureau and after following due procedure, Government vide memo 2nd read above, have accorded sanction for prosecution of Sri A.Purushotam, Special Deputy Tahsildar, O/o Special Deputy Collector, LA, SEZ, U nit-I, Tirupati (now retired) .

3. The Special Judge for SPE and ACB cases, SPSR Nellore has pronounced Judgment on 19.02.2020 in C.C.No.16/2015 that accused officer, Sri A.Purushotam, Special Deputy Tahsildar, O/o Special Deputy Collector, LA, SEZ, Unit-I, Tirupati (now retired) along with five other accused officers is found not guilty, and the operative portion of the Judgment, is as follows:

" the acceptance of money by A1 to A6 is quite evident and they failed to adduce any evidence to disprove the said fact. But, the Law is otherwise as stated supra, that mere recovery of tainted money from the possession of the accused person, in corruption cases is not sufficient to convict them unless demand of bribe and official favour established by the prosecution for the charged offences. Therefore, for the reasons stated above, the aspect of acceptance of bribe amounts by A-1 to A6 is of no used to the case of the prosecution under the facts and circumstances of this case.

The result, Accused Nos.1 to 6 are found not guilty for the offences punishable under Sections 7, 13(2) read with Sec. 13(1)(d) of the Prevention of Corruption Act, 1988. Accordingly,they are acquitted Under Section 248(1) of Cr.P.C for the above said offences. The bail bonds of the accused Nos.1 to 6 shall stand cancelled after appeal time and the same shall be in force for a period of 26o months under Section 43(7-A of Cr.P.C from the date of Judgment."

(P.T.O)

4. In the letter 4th read above, the Director General, ACB while enclosing the above acquittal orders, have reqeusted the Govt., to permit the Bureau to prefer an appeal in the High Court against the said orders and Govt., after examining the same has rejected the said proposal vide Memo, 5th cited duly stating that there are no good grounds to file an appeal against the acquittal orders.

5. In the reference 6th cited, Sri A.Purushotam, Special Deputy Tahsildar, O/o Special Deputy Collector, LA, SEZ, U nit-I, Tirupati (now retired) have requested the Government to issue dropping orders on the acquittal orders pronounced by the Special Court for SPE and ACB cases, SPSR Nellore.

6. Government, after careful examination of the orders dt:19.02.2020 of Hon'ble Spl. Judge for SPE & ACB Cases, SPSR Nellore, hereby drop further action Sri A.Purushotam, Special Deputy Tahsildar, O/o Special Deputy Collector, LA,SEZ, Unit-I, Tirupati (now retired) and exonerate him from the criminal charges framed against him, in the matter.

7. The Chief Commissioner of Land Administration, A.P., Mangalagiri shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri A.Purushotam, Special Deputy Tahsildar, O/o Special Deputy Collector, LA, SEZ, Unit-I, Tirupati (now retired) (through Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Director General, Anti Corruption Bureau, Vijayawada
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
Copy to:
The District Collector, Chittoor.
The Secretary, APVC
Sf/Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER